



**From:** Hibbler, Leah [lhobbler@paulweiss.com](mailto:lhobbler@paulweiss.com)  
**Subject:** RE: United States v. Google LLC, Case No. 1:23-cv-00108-LMB-JFA (E.D. Va.) - Notice re: Potential Use of Confidential Information at Trial  
**Date:** July 26, 2024 at 1:52 PM  
**To:** Charles Molster [cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)  
**Cc:** Morgan, Erin J [ejmorgan@paulweiss.com](mailto:ejmorgan@paulweiss.com), Phillips, Jessica E [jphillips@paulweiss.com](mailto:jphillips@paulweiss.com), Goodman, Martha [mgoodman@paulweiss.com](mailto:mgoodman@paulweiss.com), Craig Reilly [craig.reilly@ccreillylaw.com](mailto:craig.reilly@ccreillylaw.com)

Hi Chip,

Thanks for circling back. Google is not in a position now to consent or not consent to Yieldmo's request. If necessary, we will address it on the August 2 response filing.

Best,

Leah

**Leah R. Hibbler** | Associate  
**Paul, Weiss, Rifkind, Wharton & Garrison LLP**  
2001 K Street, NW | Washington, DC 20006-1047  
+1 202 223 7391 (Direct Phone) | +1 202 380 0585 (Direct Fax)  
[lhobbler@paulweiss.com](mailto:lhobbler@paulweiss.com) | [www.paulweiss.com](http://www.paulweiss.com)  
*Pronouns: She/Her*

**From:** Charles Molster <[cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)>  
**Sent:** Friday, July 26, 2024 1:38 PM  
**To:** Hibbler, Leah <[lhobbler@paulweiss.com](mailto:lhobbler@paulweiss.com)>  
**Cc:** Charles Molster <[cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)>; Morgan, Erin J <[ejmorgan@paulweiss.com](mailto:ejmorgan@paulweiss.com)>; Phillips, Jessica E <[jphillips@paulweiss.com](mailto:jphillips@paulweiss.com)>; Goodman, Martha <[mgoodman@paulweiss.com](mailto:mgoodman@paulweiss.com)>; Craig Reilly <[craig.reilly@ccreillylaw.com](mailto:craig.reilly@ccreillylaw.com)>  
**Subject:** Re: United States v. Google LLC, Case No. 1:23-cv-00108-LMB-JFA (E.D. Va.) - Notice re: Potential Use of Confidential Information at Trial

Leah - just circling back to see whether Google can agree to our request to either redact Yieldmo's name from Google's proposed trial exhibits, or use a surrogate name (such as XYZ, Inc.).

Many thanks, and best regards.

Chip  
703 346 1505

**The Law Offices of Charles B. Molster, III PLLC**  
2141 Wisconsin Avenue, N.W., Suite M  
Washington, D.C. 20007  
(o) 202.787.1312  
(c) 703.346.1505  
[cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)  
[www.molsterlaw.com](http://www.molsterlaw.com)

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On Jul 24, 2024, at 3:29 PM, Hibbler, Leah <[lhibbler@paulweiss.com](mailto:lhibbler@paulweiss.com)> wrote:

Hi Chip,

Thank you for following up. I've identified below how the exhibits use Yieldmo's data, and whether and how they refer to Yieldmo individually. For the second category of figures that refer specifically to Yieldmo, I am attaching courtesy copies that leave the portions relating to Yieldmo unredacted for your review.

Figures that do not refer specifically to Yieldmo:

**DTX 1839, DTX 1891, DTX 1943, DTX 1948, DTX 1950, DTX 1955, DTX 2068, DTX 2070, and DTX 2071** each aggregate data from Google and numerous third parties. Yieldmo is not named at all, and its data is not referenced individually.

**DTX 1862, DTX 2043, DTX 2044, DTX 2045, DTX 2046, DTX 2047, DTX 2048, DTX 2056, DTX 2057, DTX 2058, DTX 2072, DTX 2073, DTX 2074, DTX 2075, and DTX 2076** each aggregate data from Google and numerous third parties. Yieldmo is not named other than as one of the sources, and its data is not referenced individually.

**DTX 1949** aggregates data from Google and numerous third parties. Yieldmo is identified as being included with other exchanges in a group titled "Selected ad exchanges." Its data is not referenced individually.

Figures that refer specifically to Yieldmo:

**DTX 1893, DTX 2049, and DTX 2064** show combined revenue shares for various combinations of one buying tool and one exchange. Yieldmo is named as the exchange in several of the combinations.

**DTX 1956** shows individual amounts of ad spending on Yieldmo and other ad exchanges for 2019 and 2022.

**DTX 1989 and DTX 1991** aggregate data from Google and numerous third parties. Market shares calculated from that aggregated data are listed individually for each included company, including Yieldmo.

**DTX 1651 and DTX 1892** show individual revenue shares for Yieldmo and other ad exchanges for 2020, 2021, and 2022.

**DTX 2051 and DTX 2065** show individual exchanges' (including Yieldmo's) average revenue share, average CPM, and number of impressions between January 2019 and March 2023.

**DTX 2053 and DTX 2054** show individual revenue shares for Yieldmo and other ad exchanges. Yieldmo's revenue share is shown individually for 2018, 2019, 2020, 2021, 2022, and 2023.

**DTX 2066** shows individual revenue shares for Yieldmo and other ad exchanges from January 2019 through March 2023.

**DTX 2067 and DTX 2069** show individual revenue shares for Yieldmo and other ad exchanges from 2016 through 2023.

Regarding Google's response to your redaction motion, we will revert soon.

Best,



Leah

**Leah R. Hibbler** | Associate  
**Paul, Weiss, Rifkind, Wharton & Garrison LLP**  
2001 K Street, NW | Washington, DC 20006-1047  
+1 202 223 7391 (Direct Phone) | +1 202 380 0585 (Direct Fax)  
[hibbler@paulweiss.com](mailto:hibbler@paulweiss.com) | [www.paulweiss.com](http://www.paulweiss.com)  
*Pronouns: She/Her*

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**From:** Charles Molster <[cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)>  
**Sent:** Wednesday, July 24, 2024 8:54 AM  
**To:** Hibbler, Leah <[hibbler@paulweiss.com](mailto:hibbler@paulweiss.com)>  
**Cc:** Charles Molster <[cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)>; Morgan, Erin J <[ejmorgan@paulweiss.com](mailto:ejmorgan@paulweiss.com)>; Phillips, Jessica E <[jphillips@paulweiss.com](mailto:jphillips@paulweiss.com)>; Goodman, Martha <[mgoodman@paulweiss.com](mailto:mgoodman@paulweiss.com)>; Craig Reilly <[craig.reilly@ccreillylaw.com](mailto:craig.reilly@ccreillylaw.com)>  
**Subject:** Re: United States v. Google LLC, Case No. 1:23-cv-00108-LMB-JFA (E.D. Va.) - Notice re: Potential Use of Confidential Information at Trial

Leah:

Thank you for this information - unfortunately, the documents are so heavily redacted that we are unable to determine whether (and to what degree) Yieldmo confidential business information is being disclosed in the documents, or whether Yieldmo's name even appears in the documents.

Can you please identify any of the documents that include Yieldmo business or other information, and any documents where Yieldmo's name appears in a document, and provide to me versions of such documents where any such information is unreacted so that we can make a meaningful review of the documents?

Also, consistent with Judge Anderson's ruling of July 11, 2024 (Dkt. 903), we are going to request that the Court Order that all references to Yieldmo's name be redacted, and/or replaced with XYZ Corporation (or a similar substitute for Yieldmo) - can you please let me know as soon as you can whether Google will agree to that request - per Judge Brinkema's Order of June 24, 2024 (Dkt. 871) our specific objections are due on Friday July 26, 2024, and we will be including our request at that time.

Many thanks, and happy to discuss.

Best regards,

Chip  
703 346 1505

**The Law Offices of Charles B. Molster, III PLLC**  
2141 Wisconsin Avenue, N.W., Suite M  
Washington, D.C. 20007  
(o) 202.787.1312  
(f) 703.346.1505

(C) 703.340.1503

[cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)

[www.molsterlaw.com](http://www.molsterlaw.com)

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On Jul 12, 2024, at 5:32 PM, Hibbler, Leah  
<[lhibbler@paulweiss.com](mailto:lhibbler@paulweiss.com)> wrote:

Counsel,

As you know, we previously provided notice that Google included on its exhibit list (ECF No. 894) documents Yieldmo had designated Confidential or Highly Confidential. We are following up to inform Yieldmo that those documents, or information contained therein, are reflected in charts, figures, or tables prepared by Google's experts in this action, and which are also included on Google's exhibit list.

In accordance with the above, we are providing courtesy copies of the below exhibits for your review. Please note that since some or all of the below exhibits contain other third-party documents designated Confidential or Highly Confidential, we are unable to share unredacted versions.

DTX 1839  
DTX 1862  
DTX 1891  
DTX 1892  
DTX 1893  
DTX 1943  
DTX 1948  
DTX 1949  
DTX 1950  
DTX 1955  
DTX 1956  
DTX 1989  
DTX 1991  
DTX 1651  
DTX 2043  
DTX 2044  
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DTX 2046  
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DTX 2056  
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DTX 2072  
DTX 2073  
DTX 2074  
DTX 2075  
DTX 2076

Best,

**Leah R. Hibbler** | Associate

**Paul, Weiss, Rifkind, Wharton & Garrison LLP**

2001 K Street, NW | Washington, DC 20006-1047

+1 202 223 7391 (Direct Phone) | +1 202 380 0585 (Direct Fax)

[lhobbler@paulweiss.com](mailto:lhobbler@paulweiss.com) | [www.paulweiss.com](http://www.paulweiss.com)

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<Figures & Tables - Yieldmo Redactions.zip>